

AN ORDINANCE

TO AMEND SECTION 19-6.6.4(C), "FREESTANDING SIGNS," AND SECTION 19-2.3.5, "SPECIAL EXCEPTION PERMIT," OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO ALLOW ELECTRONIC MESSAGE BOARD SIGNS IN RESIDENTIAL DISTRICTS BY SPECIAL EXCEPTION AND TO ESTABLISH STANDARDS FOR THEIR OPERATION (Z-11-2013)

WHEREAS, electronic message board signs are currently not permitted in residential districts; and

WHEREAS, certain businesses such as schools and churches desire to have electronic signs; and

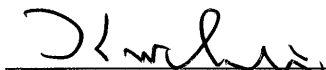
WHEREAS, in order to be allowed electronic message board signs such businesses have requested rezoning of their property which could have negative impact on the residential areas; and

WHEREAS, the purpose of this Ordinance is to allow electronic message board signs in residential districts without causing undue negative impact to residential uses by having a public hearing for a special exception permit and to establish standards for operation of electronic message board signs; and

WHEREAS, the Planning Commission, pursuant to public notice, held a public hearing on July 11, 2013, to consider these amendments, and the Commission recommended approval of the proposed amendments to Section 19-6.6.4(C), "Freestanding Signs," and Section 19-2.3.5, "Special Exception Permit," of the Code of Ordinances of the city of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-6.6.4(C), "Freestanding Signs," and Section 19-2.3.5, "Special Exception Permit," of the Code of Ordinances of the city of Greenville are amended to allow electronic message board signs in residential districts by special exception and to establish standards for their operation as set forth in the attached Exhibit which is incorporated herein by reference.

DONE, RATIFIED AND PASSED THIS THE 26 DAY OF August, 2013.



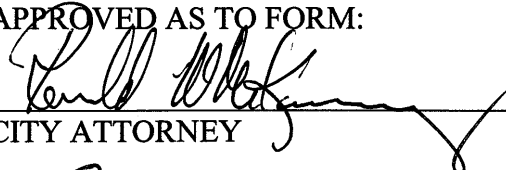
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

REVIEWED:


CITY MANAGER

EXHIBIT

19-6.6.4 (C) *Freestanding signs*. Freestanding signs are those types of signs that are supported by a structure secured to the ground and are wholly independent of any building, other than a sign structure, for support. Freestanding signs include monument signs, decorative post signs, freestanding suspended signs, and pylon or pole signs. Allowances for the number and size of freestanding signs are provided in table 19-6.6-3: freestanding signs. Applicants are encouraged to submit sign plans for evaluation during the site plan permit review process.

- (1) Lighting. Freestanding signs may be illuminated internally, provided the background is opaque allowing only the letters and logo to light, or with a shielded spot light located at the base of the sign.
- (2) Address. The address of the property shall be displayed on the freestanding sign(s) oriented to the street on which the address is assigned. The address shall be displayed using a character size of at least six inches tall.
- (3) Landscaping. It is the intent of this section to insure that freestanding signs are an integral part of the overall built and landscaped environment of a site. Landscaping around the base of a freestanding sign may be used to soften a blank base of a sign and to help integrate a sign into its surroundings. Guidelines for the use of landscaping around a sign base are provided in the administrative manual. General landscape requirements are listed in subsection 19-6.2.2, landscaping requirements.
- (4) Electronic messages boards. Electronic message boards shall incorporate a photo cell, or similar technology, that adjusts brightness of the sign relative to outdoor ambient light, and may be included on monument and pylon signs, provided such element subject to the following conditions:
 - (a) Is When such signs are to be located within the OD, C-1, C-2, C-3, C-4, S-1, RDV, or I-1 districts, the area of the electronic sign face shall not exceed 30 percent of the overall sign face, and the electronic message shall maintain a static message for at least six seconds, and shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B).
 - (b) Shall not exceed 30 percent of the sign face area; When such signs are to be located in the R-9, R-6, RM-1, RM-1.5, RM-2, or RM-3 districts, such signs may be approved only as a special exception by the Board of Zoning Appeals, and the area of the electronic sign face shall not exceed 30 percent of the overall sign face area, and the electronic message shall maintain a static message for at least twelve seconds, and the sign shall display no message between 9:00 pm and 6:00 am, and shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B). The size of such signs may not exceed the limits provided in subsection (6)(d) below, unless an exception to the sign standards is granted pursuant to subsection (7) below.
 - (c) Shall maintain a static message for at least six seconds, and shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B).

- (5) Standards for group development. For group developments where multi-tenant freestanding signs are used, the number of tenant panels on each sign shall be limited to five, plus the name of the development; provided, however, that each tenant which occupies at least 10,000 square feet of space in the development shall be allowed a panel on one of the development's multi-tenant signs on each street frontage of the development.
- (6) Design review.
- (a) All signs proposed in the C-4, central business district, or a PO, preservation overlay district, require review by the design review board, which shall supersede (c) and (d) below.
 - (b) The application of extraneous information to a sign, such as services provided by the business, telephone numbers, hours of operation, etcetera, is not permitted. This information may be allowed in certain cases as window graphics.
 - (c) Freestanding signs that do not exceed the size and height limits provided in table 19-6.6-3: freestanding signs, do not require design review.
 - (d) The applicant for a sign permit may obtain an increase in sign area and/or sign height by requesting design review by the administrator. The administrator may allow sign height up to ten feet and or sign area up to 36 square feet for a sign that meets the design standards listed in the administrative manual. All signs are reviewed on a case-by-case basis for quality of design, compatibility with the aesthetic quality of the site, and the character of the district, in which they are proposed.
- (7) Exceptions to sign standards. Unusual site conditions or other design factors may warrant signs not otherwise permitted by these regulations. The design review board, through an application for a certificate of appropriateness, is authorized to grant an exception to allow an increase in sign area and or sign height, up to 25 feet, or other design-related modifications based on the following findings:
- (a) There are exceptional or unusual circumstances associated with the property involved, such as, but not limited to:
 - (i) Size of the development parcel.
 - (ii) Frontage on an interstate highway.
 - (iii) Visual obstructions.
 - (iv) Unusual building location on-site.
 - (v) Certain uses which are primarily for entertainment, recreation, conference, or exhibition venues, which are open to the public and which have regularly-changing events, such as convention and exhibition halls, theaters and cinemas, sports stadiums and arenas.
 - (b) The exception is consistent with the intent and purpose of the sign regulations and will not constitute a grant of special privilege or entitlement inconsistent with limitations applied to other properties in the vicinity with the same zoning.
 - (c) The sign exception is for superior design that will not result in visual clutter and is consistent with the intent and purpose of these sign regulations.

When an electronic message board is proposed as a special exception in the R-9, R-6, RM-1, RM-1.5, RM-2, RM-3 districts, the Board of Zoning Appeals is authorized to grant similar exceptions to sign standards, provided the sign meets standards (a), (b), and (c) above, as well as the special exception criteria.

(D) Appeals to the design review board.

- (1) An applicant may appeal a design-related decision of the administrator on an application to the design review board by filing a written appeal with the administrator within ten business days of the mailing of a written decision. The appeal shall specify the grounds for the appeal.
- (2) The procedures for appeal are the same as those referenced in subsection 19-2.3.16, appeals from interpretations and decisions of the administrator, except that the appeal shall be heard by the design review board rather than the board of zoning appeals.

19-2.3.5 Special exception permit.

(A) Purpose. Special exceptions are uses that may be generally compatible with the other uses permitted in a zoning district but require individual review of their location, design, configuration, density, and intensity of use and may require the imposition of conditions to ensure the appropriateness of the use at a particular location.

(B) Authority. The board of zoning appeals is authorized to review and decide on an application for a special exception permit pursuant to this subsection.

- (1) Uses authorized in zoning district. Only those uses identified as special exceptions in subsection 19-4.1.2, table of uses, are authorized to be considered as special exceptions under this section. The designation of a use as a special exception does not constitute an authorization that such use shall be approved as a special exception permit pursuant to this section. Rather, each proposed special exception shall be evaluated by the board of zoning appeals for compliance with the standards set forth in this section and the applicable standards for the use in section 19-4.3, use specific standards (if appropriate).
- (2) Change in nonconforming use. A nonconforming use that is proposed to be changed to another nonconforming use may also be considered for a special exception permit under this section. Any proposed change from one nonconforming use to another shall not be approved as a special exception permit unless it complies with the standards of this section.
- (3) Electronic message boards in residential districts. A sign in a residentially-zoned district that will include an electronic message board may be considered for a special exception permit under this section. Any proposed sign located in a residential district and includes an electronic message board shall not be approved as a special exception permit unless it complies with the standards of this section.